

REMARKS

This Amendment is being filed in response to the Office Action mailed on May 13, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1 and 3-16 remain in this application, where claims 1 and 11 are independent.

By means of the present amendment, claims 1 and 3-10 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1 and 3-10 were not made in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to claims 1-2, 4, 6 and 8-10 for certain informalities. In response, claims 1-2, 4,

6 and 8-10 have been amended to remove the noted informalities. It is respectfully submitted that the objection to claims 1-2, 4, 6 and 8-10 has been overcome and withdrawal of this objection is respectfully requested.

In the Office Action, the Examiner indicated that claims 2-9 would be allowable if rewritten in independent form. Applicant gratefully acknowledges the indication that claims 2-9 contain patentable subject matter. By means of the present amendment, independent claim 1 has been amended to include the features of allowable claim 2 which has been canceled without prejudice. Accordingly, it is respectfully requested that independent claim 1 be allowed. In addition, it is respectfully submitted that claims 3-10 should also be allowed at least based on their dependence from independent claim 1 as well as their individually patentable elements.

Further, new claims 11-16 have been added. It is respectfully submitted that independent claim 11 is patentable over U.S. Patent No. 6,853,614 (Kim) since Kim does not disclose or suggest "wherein the compensator is further configured to compensate for variation of the first parameter without substantially affecting the second

wavefront deviation; and wherein the first parameter includes temperature, angle of incidence, polarization and wavelength of the radiation beam," as recited in independent claim 11.

Accordingly, it is respectfully requested that independent claim 11 be allowed. In addition, it is respectfully submitted that claims 12-16 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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